File No. 118 of 04-05

Serial Nos. 1, 7-8 & 13

1904 . 05

GENERAL AND REVENUE SECRETARIAT.

(Courts.)

Part A: Manuscript
for December 1904.

Serial Nos. 1, 7 8 & 13.

G.R.S. 11] 1904-05

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 118

FILE HEADING:

Transfer of the Subordinate Courts at Chitaldroog & Shimoga & of the Munsiff's Courts at Honnali & Chitaldroog.

From

The Registrar of the Chief Court of Mysore

No. 2285/125 Dated 11/10/04 Received 13/10/04

Diary No.	Enclos.	Spare Copies.	Serial No.
J 804			1

BRIEF ABSTRACT OF LETTER:

Submits for the consideration and orders of Government the above mentioned proposals of the Chief Court

NOTES AND ORDERS.

The various proposals for reorganizing the Judicial department of the state having been received, the Government in their Notification No. J 861 dated the 13th December 1902 sanctioned certain arrangements ~~accepted~~ in view

NOTES—First sheet.

MGCPB—5,000—18-5-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 118 of 1906

Serial No.

the establishment of Subordinate Courts at Hassan, Chickmagalur and Chitaldrug with original and appellate jurisdiction up to Rs 10,000 value exercised over the Revenue Districts of Hassan, Kadur & Chitaldrug respectively and the abolition of the Munsiffs' Courts at Hassan, Chickmagalur and Chitaldrug the civil work being transferred to the Subcourts at those places.

2. It is now stated that since the abolition of the Subcourt at Shimoga, the file of the District Judge of Shimoga had been in a state of chronic congestion which can be best relieved by the transfer of the Subcourt at Chitaldrug to Shimoga as prayed for by the Members, Nagarsabha whose memorial to the effect was transmitted to the Chief Court for disposal about July last) and of the Munsiff's Court at Honnali to Chitaldrug with jurisdiction over the Davangere Taluk

NOTE—Contn. sheet.

MGCPB—10,000—31-8-04.

G.R.S. 121

General and Revenue Secretariat. | File No. 118 of 1904

Serial No.

This is true
N. BK
20/10/1904

the people of which place have it is represented, to travel at present via the Jungle to Honnali and have to cross the Tungabhadra and are thus ~~with~~ much difficulty & inconvenience, especially during the monsoon. The jurisdiction was the Honnali Taluk & a portion of Shikarpur ~~was~~ included in that of the Honnali Munsiff's Court is proposed to be regarded by the transfer of the Honnali Taluk to the Shimoga Munsiff and the Shikarpur Taluk to the Sagar Munsiff.

Subject for orders

MS
20/10/04

3. This is one of the subjects to be discussed at the ensuing Representative Assembly meeting.

Subject No 59(a)

4. There seems to be a general concensus of opinion in favour of transferring the Sub Judge at Chitaldrug to Shimoga, which will have the incidental advantage of

Subject No 59

NOTE—Contn. sheet.

MGCPB—10,000—31-8-04.

G.R.S. 12]

General and Revenue Secretariat. | File No. 118 of 1906

Serial No.

of removing the anomaly by which a portion of the Chitaldrug Revenue District has, for purposes of civil jurisdiction, been attached to a Court located in another District.

5 By the addition of Davangere Taluk, ~~the to~~ to the new Chitaldrug Munsiff's, and by the addition of the Shikarpur hobli of the Sagar Munsiff's, the work of these two Courts will not be very appreciably increased.

6 The case is however different with regard to the Shimoga Munsiff's Court, to which it is proposed to add Honnali Taluk. The transfer ~~addition~~ will result in increasing the file, already somewhat heavy (1127 suits), by nearly 300 more. As against such addition which to about the same extent is estimated to result by the cognizability of suits between Rs 500 and 3000 by the Sub Judge on the small cause side.

MGCPB—10,000—31-8-04.

Serial No.

This remedy is not entirely satisfactory since there is a general complaint on the part of the public against fixing the small cause jurisdiction at Rs 300. [This is also a subject for discussion at the Repr: Assembly.]. But there seems to be no help for it.

Subt No 4824/9 1904.

M. Chandrasekhara Iyer 20.10.04

Let

The letter of the Chief Court contains all the facts. The transfer of the Kolhies of the Shikaripur Taluk to the Sagar Moonsiff will be a convenience to the people of the former place. Similarly, the transfer of the Davangere cases to the Chitaldroog Moonsiff will relieve the people of Davangere of the trouble of crossing the River near Honnali. I remember the people were asking for these changes.

Submitted to the Dewan Saheb thro' the 1st Councillor

20/10/1904

875 21.10.1904 Mysore

G.R.S. 12]

General and Revenue Secretariat.

File No. 118 of 190 4

Serial No.

6. The experience gained during the past 2 years, has shewn (1) that a Sub Judge's Court at Chitaldrug is not quite necessary (2) that without a Sub Judge at Shimoga to assist him, the District Judge of Shimoga is placed at a great disadvantage & (3) that the transfer of appeals to the new Sub Judges, whether for hearing at Shimoga or at Chitaldrug & Chikmagalur is attended with much avoidable inconvenience, delay & expense. The Shimoga people too have long had a real grievance. Under these circumstances, I am of opinion that the proposals made by the Chief Court are suitable and may be sanctioned with the modification that the Sub Judge's small cause jurisdiction should be limited to Rs 100 as in the case of the Bangalore & Mysore Sub Judges. The Hubli

MGCPB—10,000—31-8-04.

G.R.S. 12]

General and Revenue Secretariat.

File No. 118 of 1904

Serial No.

this arrangement the Shimoga Municipality will be somewhat heavy, but not too heavy for a capable and energetic Judge.

24-10-1904 2499/ 24-10-04

2379 24.10.04. I am in perfect agreement with the 1st Councillor. The Hobblies of Talaguppa & Udyavara are as near to Sagar as to Honnali and have facilities of road communication. The other Hobblies of Honnali & Kasba Shikaripur & Hosur & Mayagere are somewhat more distant but there is a good road and the inconvenience is inappreciable. Regarding the apprehended heaviness of the Shimoga file it is expected adjustment by the timely trans fer of cases to Shimoga Subordi- On the whole this change is opposed by people. The small cause jurisdiction may be reduced to 100. The question is very strong as the present time. As to the 2nd Councillor's opinion -

98 11-11-04 Note—Contn. sheet No. 2 Councillor 10/11/1904

MGCPB—10,000—31-8-04.

9.XI.04

G.R.S. 127

General and Revenue Secretariat.

File No. 118 of 1904

Serial No.

12. The proposed rules & the C Courts may be approved and the Small Causes Jurisdiction of the Shimoga Sub Judges Limited to Rs 100.

12/11/1904

13.11.1904

2694 14.11.04

Rules to Devan after cir[cl]

14.11.04

Ld N. 118 of 04

Submitted to His Highness.

(3) "Memorials have been
well considered and result
if carried out can improvement
over the present existing state of
things - There will be no
inconvenience whether the
Shadarpur or Hamidabad
people and while the in
habitants of Davangere
will be greatly relieved
the Subordinate Judge will
be more useful in Shimoga
than in Chitaldrug and
it will be consistent with
the practice elsewhere to
reduce this small cause
jurisdiction to a limit
of 100 Rs. At present there
is a great complaint as the
Scope of this limit extending
to 300 Rs - Sanction may
therefore be accorded to
(1) transfer the Subordinate
from Chitaldrug to
Shimoga
(2). Reduce his Small
Cause jurisdiction

18

300 Wood ~~St~~.

(3) Walk with the Muffasil Court
in Honnali

(4) To distribute his jurisdiction
among the Muffs of Sangam
and Shemoga

(5) To establish a Muffasil Court
in Chitaldrug

(6) & Board on Davangere
to that Court.

15. XI. 04 Wilks?

1P

Dis N° 118 Jpc

Record of Case submitted for the orders of His Highness the Maharaja.

Subject.

Proposed transfer of the Subordinate Judge's Court at Chittaldroog to Shimoga and the Munsiff's Court at Honnali to Chittaldroog.

Order.

Approved

~~K R M~~

29/11/04

15 orders issued 29.XI.04

16. Draft accordingly

2.12.1904.

G.R.S. 12]
General and Revenue Secretariat.

File No. 118 of 1906

Serial No.	
	19. Draft of an order & a notification and Records submitted 7/12/06 SW 8/12 SW for Secretary's consideration 7/12/06 SW 8/12/06 Secretary 18 Passed 10-12-1906
7	Govt Order No. 1535-6 (C.118) of the 14th December 1906. from the Registrar of the Board of Land Records Sanctioning with effect from the 1st January 1907; 1) the abolition of the Subordinate Court at Chittaldrug 2) the establishment of a Subordinate Court at Shimoga with original civil jurisdiction up to Rs 10,000/- to be exercised over the Revenue Districts of Shimoga & Chittaldrug & with Small Cause jurisdiction up to Rs 100/- to be exercised within the local limits of the jurisdiction of the Munsiff of Shimoga 3) the abolition of a Munsiff's Court at Chittaldrug, with jurisdiction over the revenue Districts of Chittaldrug & 4) the abolition of the Munsiff Court at Honnali, the original jurisdiction thereof being distributed by the transfer of the Honnali Taluk & the Shimoga Munsiff & the portions of Shikarpur Taluk to the Sagar Munsiff
8	Do the Confidential Memorandum No. 1632 (C.118-8) of 14/12/06. Withdrawing the above arrangements

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 118 of 1904-05

Serial No. 13

To the Compiler, Mysore Gazette, No. J 1713 of C 118-13 the 9th December 1904.

Notify the following postings to take effect from the 1st January 1905:—

Mr. S. Varadarajiengar, Subordinate from Chitaldrug to Shimoga for charge of the newly established Subordinate's Court at Shimoga

Mr. S. Krishnaswamy, Munsiff from Kunigal to Chitaldrug for charge of the newly established Munsiff's Court Chitaldrug

To the Registrar of the Chief Courts No. J 1714 of C 118-13 the 9th December 1904.

Forwards copies of the above for information

To the Compr Gazette No. J 1715 of C 118-13 the 9th December 1904.

Forwards copies as the preceding

MGCPB—20,000—1-11-04.

No. 2285/125

Bl. No. 1
Jte. No. 118 of 04

Bangalore,
11th October 1904.

From V. A. Rajaratna Mudaliar, Esqr.
Registrar, Chief Court of Mysore.

To
B. K. Venkata Varadiengar, Esqr.
Secretary to Government
General and Revenue departments.

Sir,

I am directed to submit for the consideration and orders of Government the following proposal for transferring the Subordinate Judge's Court at Chitaldrug to Shimoga and the Munsiff's Court at Honnali to Chitaldrug.

2. The question of transferring the Honnali Munsiff's Court to a

more

v

more convenient station has for some years past been occupying the attention of this Court. It has been considered now along with the question of affording suitable relief to the District Judge of Shimoga, whose file has been in a State of Chronic congestion since the abolition of the Sub Court at Shimoga, and the conclusion arrived is that the Honnali Munsiff's Court might, with advantage, be transferred to Chitaldrug with jurisdiction over the whole of the Revenue District of Chitaldrug, the Sub-Court at Chitaldrug being transferred to Shimoga.

3. The inclusion of the Davanagere Taluk within the

Jurisdiction

Juris-diction of the Chitaldrug mun-
Siff will be a source of convenience
to the people of Davanagere. At present
they have to travel through the jungle
to Honnali and have to cross the —
Tungabadra which is attended with
difficulty, especially during the
monsoon The average number of
Suits contributed by the Davana —
gere Taluq will be about 250 a year
which will be an addition to the
work of the Chitaldrug Court by
the inclusion of Davanagere with
in its juris-diction, but most of
the suits are of a small cause
nature.

4. The juris-diction over
the Honnali Taluq and a portion
of

of Shikarpur consisting of (1) Shi-
-karpur kasaba Hobli (2) Mugalgere
Hobli (3). Hosur Hobli (4) Thalagonda
Hobli and (5) Kadagana Hobli
now included within the jurisdiction
of the Honnali munsiff may be
readjusted by assigning the Honnali
Taluq to the Shimoga munsiff
and the Shikarpur Hoblis to the
Sagar munsiff. The average num-
-ber of suits filed from the Honnali
Taluq is 289 a year and the Shimoga
munsiff's file is 1127, taking the figures
of the last 3 years. Thus the total
number of suits in the Shimoga
munsiff's Court under the proposed
arrangement will be about 1400
a year. But the transfer of the

Suit

2

Sub Court to ~~Chitaldrug~~ Shimoga will reduce the munsiffs file since the Sub Judge will exercise Small Cause Jurisdiction up to Rs 300. About 300 suits valued above 50 and not exceeding Rs 300 now being filed in the munsiffs Court as Original suits will be co-gnizable by the Sub Court as Small causes. The Sub Judge will entertain suits above Rs 2500 and not exceeding Rs: 10000 arising within the Shimoga and Chitaldrug Districts and can also hear and dispose of appeals referred to him by the District Court and thus help the District Judge materially. The Sagar Munsiffs file is only 546 per year and adding the average of suits from the Shikarpur

Hobli's

Hobbis - 144, the total file will be 690 a year which is not heavy.

5. I am to add that the Deputy Commissioners of Shimoga and Chitaldrug who have been consulted by the District Judge of Shimoga, are in favour of the proposed changes.

I have the honor to be,

Sir,

Your most obedient Servant,

Registrar

mkm

Ch 7 dt. 11-8 of 04-05
8 Nov 05

Read again

Government Proceedings No.859-60 dated the 13th December 1902.

Read:

Letter No. 2285/125 dated the 11th October 1904, from the Registrar of the Chief Court of Mysore,

(Print in extenso).

Order ~~thereon~~, No. J 1535-6 9/11/05
C.118-7

The experience gained during the past 2 years has shewn that a Sub Judge's Court at Chitaldrug is not quite necessary; that the District Judge of Shimoga is placed at a great disadvantage without a Sub Judge at Shimoga to assist him, and that the transfer of appeals to the Sub Judges at Chitaldrug and Chickmaglur for hearing whether at Shimoga, Chitaldrug or Chickmaglur is attended with much avoidable inconvenience delay and expense. On the other hand the proposals of the Chief Court, if carried out will result in a material improvement over the existing state of things. No appreciable inconvenience to the inhabitants of either the Honnali or Shikarpur Taluk is apprehended, while the inhabitants of Davangere will be greatly relieved by the arrangement. The Subordinate Judge's Court moreover will be more usefully located at Shimoga than at

at Chitaldrug; but it is considered advisable, ~~in Mysore and Bangalore~~ to reduce the Sub Judge's Small Cause Jurisdiction from Rs 300/- to Rs 100/-. as there is a strong complaint regarding the high limit of Rs 300 at which it is now placed. ~~to Rs 500~~. Regarding the apprehended heaviness of the Shimoga Munsiff's file the Government think that it is capable of adjustment by the timely transfer of cases to the Shimoga Sub Judge.

2. Under these circumstances, the Government are pleased to accord their sanction to the following arrangements which will come into effect from the 1st January 1905:—

1. The Court of the Subordinate Judge at Chitaldrug will be abolished.

2. A Subordinate Judge's Court will be established at Shimoga, with criginal Civil Jurisdiction up to Rs 10,000 to be exercised over the Revenue Districts of Shimoga and Chitaldrug, ~~and~~ with Small Cause Jurisdiction up to Rs 100 within the local limits of the jurisdiction of the Munsiff of Shimoga.

3. A Munsiff's Court will be established at Chitaldrug with jurisdiction over the whole of the Revenue District of Chitaldrug.

4. The Munsiff's Court at Honnali will be abolished, the criginal jurisdiction over the Honnali Taluk being transferred to the Shimoga Munsiff and over the marginally noted ⊕ hoblis of the Shikarpur Taluk to the Sagar Munsiff.

N.B. If the Sub Judge is to remain as Port Service Judge then has to be specially adapted also. Probably he is not -

⊗

1. Shikarpur Kasba hobli.
2. Mugalgere "
3. Hosur "
4. Thalagonda "
5. Madagana "

A Notification to the above effect will be published in the Mysore Gazette.

Print) 10.12.1904

Secretary.

To

The Registrar of the Chief Court of Mysore.

Comptroller & Asst. Secy to Govt of Mysore

Copied by 13/12/04

Examined by. 14/12/04

Secretariat. 8. 10

G.O. No. 118 Dated 05

Notification.

J/1537 dt 14/12/04
C.118-8

In exercise of the powers conferred by the Mysore Civil Courts Regulation, I of 1883, the Government of H.H. the Maharaja of Mysore are pleased to sanction the following arrangements, with effect from the 1st day of January 1905:-

1. The Court of the Subordinate Judge at Chitaldrug will be abolished.

2. A Subordinate Jusge's Court will be established at Shimoga, with original Civil Jurisdiction up to Rs 10,000 to be exercisad over the Revenue Districts of Shimoga and Chitaldrug with Small Cause Jurisdiction up to Rs 100 within the local limits of the jurisdiction of the Munsiff of Shimoga.

3. A Munsiff's Court will be established at Chitaldrug with jurisdiction over the whole of the Revenue District of Chitaldrug.

4. The Munsiff's Court at Honnali will be abolished, the original jurisdiction ~~over~~ where of the Honnali Taluk being transferred to the Shimoga Munsiff and that over the marginally noted hoblis of the Shikarpur Taluk to the Sagar Munsiff

1. Shikarpur Kasba hobli.
2. Mugalgere "
3. Hosur "
4. Thalagonda "
5. Wadagana "

By Order,

10.12.1904

Secretary.

To

The Compiler Mysore Gazette for publication.

Copied by dt. 14/12/04

Examined by SN 14/12/04

Courts
File No: 118
Serial No: 13 Notification

J 1713 / C 118-13 Dt 27/12/04

To Mr. reference to Government Notification No: J 1532 & C 118-8 dt the 14th December 1904, the following postings are ordered with effect from the 18th January 1905:—

1. Mr. S. Varadarajangar, Subordinate, from Chitaldrug to Shimoga, for charge of the newly established Subordinate Judge's Court at Shimoga.

2. Mr. S. Krishna Rao, Munsiff, from Honnali to Chitaldrug, for charge of the newly established Munsiff's Court at Chitaldrug.

By order
B K
27.12.1904
Secretary

To the Superintendent, Mysore Gazette, for publication

J 1714 / C 118-13 Dt 27/12/04

Copy of the Order of this Court ~~for information~~ in Continuation of Proc No: J 1535-6 / C 118-7 dt 14/12/04

To the Comptroller & Asst for information

J 1715 / C 118-13 / 27/12/04

By order
B K
27.12.1904
Secretary